

**City of Greensboro Planning Department
Zoning Staff Report
June 14, 2004 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: S
Location: 1401 Cunningham Street

Applicant: Dr. Chelsea Tipton
Owner: Dr. Chelsea & Blonnie Tipton

From: CD-GO-H & RM-18
To: CD-RM-26

Conditions: 1) Uses: Limited to multifamily dwellings not to exceed 24 units.
2) The building shall be primarily of brick and masonry construction.

SITE INFORMATION	
Existing Land Use	4 Apartments, 1 Triplex, 2 Single Family Dwellings: 22 total dwellings on the subject property
Acreage	1.176
Physical Characteristics	<i>Topography:</i> Flat <i>Vegetation:</i> None <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential 3-5 d.u./acre
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Collegiate Commons Apartments	GO-H
<i>South</i>	Vacant Office	CD-LI
<i>East</i>	Single Family Dwellings	RM-18
<i>West</i>	Apax Asphalt Company	HI

ZONING HISTORY		
Case #	Year	Request Summary
3226	2004	The western portion of this property was rezoned by the Zoning Commission to CD-GO-H on March 8, 2004.
119	1955	Rezoned from Residential 75 to Industrial L by City Council with a favorable recommendation from the Planning Board. This property was classified as RM-18 at the time of city-wide remapping to implement the UDO.

DIFFERENCES BETWEEN CD-GO-H and RM-18 (EXISTING) AND CD-RM-26 (PROPOSED) ZONING DISTRICTS
<p>CD-GO-H: GO-H Districts are primarily intended to accommodate a wide range of retail, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks. The existing CD-GO-H District limits use to residential not to exceed 12 dwelling units per acre.</p> <p>RM-18: RM-18 Districts are primarily intended to accommodate multifamily uses at a density of 18.0 units per acre or less.</p>
<p>CD-RM-26: RM-26 Districts are primarily intended to accommodate multifamily uses at a density of 26.0 units per acre or less. See conditions for density and building construction provisions.</p>

TRANSPORTATION	
Street Classification	Benbow Road - Collector Street, Cunningham Street - Local.
Site Access	Unknown at this time.
Traffic Counts	Not available.
Trip Generation	N/A.
Connectivity	N/A.
Sidewalks	Will be required per the Development Ordinance.
Transit	Yes.
Traffic Impact Study	N/A.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	No, drains to North Buffalo
Floodplains	N/A
Streams	N/A
Other	N/A

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
South	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
East	Type C Yard - 20' avg. width; 2 canopy/100', 3 understory/100', 17 shrubs/100'
West	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 4G.1: Promote compact development.

POLICY 6A.2: Promote mixed-income neighborhoods.

POLICY 6B.3: Improve maintenance of existing housing stock.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

POLICY 7A.2: Encourage "home-grown" and community based businesses and entrepreneurs with special emphasis in increasing the number of minority-owned businesses in traditionally underserved parts of the community.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Reinvestment Area: Reinvestment areas are neighborhoods and districts within Greensboro's urban areas that would most benefit from actions to promote compatible infill development and other forms of investment and reinvestment.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: As staff pointed out at the time of the previous rezoning proposal, a 4.2 acre tract immediately north of the subject property was rezoned from LI to GO-H by unanimous vote of the Zoning Commission in November 1993. Although not conditioned, the stated reason for that rezoning was to accommodate multifamily use. The Planning Department recommended in favor of that request, stating that all uses allowed in GO-H had to be considered. Staff pointed out that the property had been zoned for light industrial for many years but never developed under that classification. Staff also felt that to develop the tract with general office uses would be more compatible with existing residential uses in the area rather than to develop it with industrial uses.

A 4.9 acre tract to the east of that November 1993 property was rezoned from LI and RM-18 to GO-H by unanimous vote of the Zoning Commission in April 1999. Although not conditioned, the stated reason for that request was for a 480-bed dormitory to serve NC A&T State University. The Planning Department recommended in favor of that request for similar reasons. Staff felt that GO-H zoning would be more compatible with existing residential uses in the area.

The western portion of the subject property currently is zoned CD-GO-H and limited to residential not to exceed 12 dwelling units and one accessory office space on 1.2 acres. This proposal would permit 24 multifamily units on 1.81 acres and adds the provision that buildings must be primarily of brick and masonry construction. The portion of the subject property fronting on South Benbow Road is currently developed with a series of buildings housing 16 apartment units. The subject property is currently classified on the Generalized Future Land Use map as Low Residential with the Mixed Use Commercial classification directly to the north.

At the time of the previous rezoning request, staff mentioned that due to the size of the site and the number of current apartment units, staff felt the character of the neighborhood would not change with that request nor would that request expand the area devoted to multifamily land use. Staff supported the previous request because it was actually a reduction in the number of units on the existing multifamily site.

However, this case doubles the number of units from the previously approved case and expands into an area that is currently occupied by a triplex and two single family dwellings. This brings into question the maintenance of existing housing stock that is promoted by Policy 6B.3 in Connections 2025. Whether or not the character of the neighborhood may be changed is a point in question. Approval of this request could initiate a domino effect for apartment development in the remainder of this block that presently exhibits single family and two-family housing stock. On the other hand, unless it is downzoned (which is highly unlikely), apartments could be developed by right under the current RM-18 zoning classification.

This case exhibits conflicting aspects relative to Connections 2025 goals and policies. It is located within a Connections 2025 Reinvestment Area, as shown on the Growth Strategy map, which supports compatible infill and reinvestment. It meets goals such as improving the housing stock (but only in part), promoting compact development, and providing for mixed housing types. It will improve the existing multifamily units but it may not be an improvement to the housing stock to take away two single family units that could, in the future, be owner-occupied affordable housing.

This request also promotes the walkability goals of the Plan in that it offers a housing opportunity for students in an area with sidewalks and within walking distance of the NCA&T State University campus.

GDOT: No additional comments.

Water Resources: No additional comments.

HCD: No comments.

STAFF RECOMMENDATION

Based on all the information contained in this report, consideration of the existing multifamily zoning, and the proximity to the NC A&T campus, staff recommends approval of this request.